

REMARKS

Claims 1, 5, 6 and 7 have been amended.

The Examiner has rejected applicant's claims 1-7 under 35 U.S.C. 102(b) as being anticipated by the Bigari patent (US Patent 5,010,485). With respect to applicant's claims, as amended, this rejection is respectfully traversed.

Applicant's independent claims 1 and 5-7 have been amended to better define applicant's invention. More particularly, applicant's amended independent claim 1 now recites a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus including a recognition unit for recognizing an account function of another data processing apparatus, a decision unit for deciding that said data processing apparatus is to effect an account process for a first process by said data processing apparatus and for a second process by said another data processing apparatus, in the case where said recognition unit recognizes that said another data processing apparatus does not have the account function, and a control unit for controlling execution of the account process in accordance with the decision by said decision unit. Applicant's independent method 6 claim has been similarly amended.

Applicant's amended independent claim 5 recites a data processing apparatus including a processing portion for effecting a predetermined process with respect to another data processing apparatus, an information portion for informing said another data processing apparatus that the data processing apparatus has the account function, so that said another data processing apparatus does not execute the account process for the predetermined process, and an account portion for executing the account process for a first process by said data processing apparatus and for a second process by said another data processing apparatus in order to

execute the predetermined process after the informing by said information portion. Method claim 7 has been similarly amended.

Such constructions are not taught or suggested by the cited art of record. More particularly, the Examiner relies upon Bigari for disclosing various units that implement various decisions including a host institution which determines whether to approve or disapprove to a voucher processing apparatus of a maximum charge amount input at the processing apparatus, as discussed in column 7, lines 49 to 66 of that patent. However, such an operation does not correspond to applicant's claimed deciding that the data processing apparatus is to carry out the account process in the case when it is recognized that the other ("said another") data processing apparatus does not have an account function, as recited in applicant's claims 1 and 6. Also, nowhere else in Bigari does this reference disclose or teach this claimed feature.

Moreover, Bigari does not disclose or teach applicant's claimed feature of informing the other ("said another") data processing apparatus that the (first) data processing apparatus has the account function so that the other data processing apparatus does not execute the account process, as recited in applicant's claims 5 and 7. The Examiner relies upon "unit 62" in Bigari for allegedly preventing double accounting for the predetermined process. However, the reference does not support this interpretation of the reference flow chart shown in Figure 2 (see col. 7, lines 49 to 66) nor does this reference disclose or suggest the particular feature now recited in applicant's claims 5 and 7, as mentioned above.

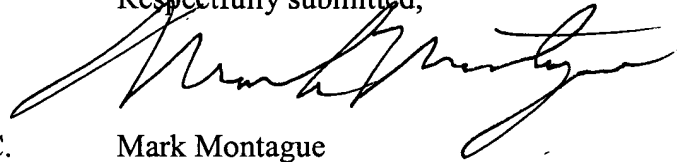
Applicant's amended independent claims 1 and 5-7, all of which recite one or more of such features, and their respective dependent claims, thus patentably distinguish over the Bigari patent.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration and allowance of the claims are respectfully requested.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 790-9200.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Montague', written in a cursive style.

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